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jc560 U.S. PTO

**PATENT APPLICATION**  
Attorney Docket No. CTI-49 DIV1  
(17810-049)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Carpenter  
ASSIGNEE : CytoTherapeutics, Inc.

Total No. of Pages 41  
(without references)

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09/178035  
10/23/98

**Box PATENT APPLICATION**  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

October 23, 1998  
Boston, Massachusetts

**REQUEST FOR DIVISIONAL PATENT APPLICATION  
PURSUANT TO 37 C.F.R. 1.53(b)**

1. This is a request for a filing of a

- ☐ continuation application  
☒ divisional application

under 37 C.F.R. 1.53(b) of nonprovisional patent application U.S.S.N. 08/926,313, filed on September 5, 1997, entitled:

**HUMAN CNS NEURAL STEM CELLS**

2. ☒ Specification (17 pages); Claims (2 pages); Abstract (1 page);

3. ☒ Drawings  
☐ Formal  
☒ Informal - Four (4) Pages

4. ☒ Declaration and Power of Attorney  
☒ Copy from prior application (3 pages)  
☐ Copy of Revocation by Assignee and new Power of Attorney from prior application ( pages)  
☐ Newly executed (original or copy)

5. ☒ Information Disclosure Statement (IDS)  
☒ Copy of IDS (1 page) and PTO-1449 (4 page)  
☒ Copies of references cited  
☐ Copies of two Supplemental IDS and PTO 1449s (2 x 3 pages)

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6. ☒ Amend the specification by inserting before the first line the sentence:  
This application is a divisional application under 37 CFR §1.53(b) of  
U.S.S.N. 08/926,313 filed on September 5, 1997.

7. **Fee Calculation**

- A. ☒ Regular application

Please cancel original claims 10-23 prior to calculating the filing fee.

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$790.00
Total Claims (37 C.F.R. 1.16(c))	2	- 20 =		\$ 22.00	0
Independent Claims (37 C.F.R. 1.16(b))	1	- 3 =		\$ 82.00	0
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))				\$270.00	0

- ☐ Amendment canceling extra claims is enclosed.  
☐ Amendment deleting multiple-dependencies is enclosed.  
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ **790.00**

- B. ☐ Design application  
(\$330.00--37 C.F.R. 1.16(f))

Filing Fee Calculation \$ \_\_\_\_\_

- C. ☐ Plant application  
(\$540.00--37 C.F.R. 1.16(g))

Filing Fee Calculation \$ \_\_\_\_\_

8. **Small Entity Statement(s)**

- ☒ Statement(s) that this is a filing by a small entity under 37 C.F.R. 1.9 and 1.27 is (are) attached.  
☒ Status as a small entity was claimed in prior application **08/926,313**, filed on **September 5, 1997**, from which benefit is being claimed for this application under:

35 U.S.C. ' ☐ 119(e),  
☐ 120,  
☒ 121,  
☐ 365(c),

and which status as a small entity is still proper and desired.

- ☒ A copy of the statement (2 pages) in the prior application is included.

9. **Filing Fee Calculation**

(50% of A, B or C above)    **\$ 395.00**

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**10. Fee Payment Being Made at This Time**

- ☐ Not Enclosed
- ☒ Enclosed
- ☒ Filing fee \$ 395.00
- ☐ Recording assignment  
(\$40.00; 37 C.F.R. 1.21(h))  
(See attached "COVER SHEET FOR ASSIGNMENT  
ACCOMPANYING NEW APPLICATION.") \$ \_\_\_\_\_
- ☐ Petition fee for filing by other than all the  
inventors or person on behalf of the inventor  
where inventor refused to sign or cannot be reached  
(\$130.00; 37 C.F.R. 1.47 and 1.17(i)) \$ \_\_\_\_\_
- Total fees enclosed \$ 395.00**

**11. Method of Payment of Fees**

- ☒ Check in the amount of \$ 395.00
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

**12. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional  
fees by this paper and during the entire pendency of this application to  
Account No. 50-0311.
- ☒ 37 C.F.R. 1.16(a), (f) or (g) (filing fees)
- ☐ 37 C.F.R. 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 C.F.R. 1.16(e) (surcharge for filing the basic filing fee  
and/or declaration on a date later than the filing date of the  
application)
- ☐ 37 C.F.R. 1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
- ☒ 37 C.F.R. 1.17 (application processing fees)
- ☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of  
Allowance, pursuant to 37 C.F.R. 1.311(b))

**13. Instructions as to Overpayment**

- ☒ Credit Account No. 50-0311
- ☐ Refund

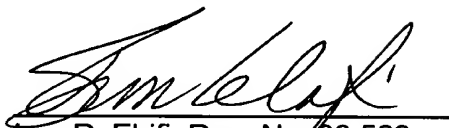
**14. Other Documents Enclosed.**

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Applicant: Carpenter.  
Request for Divisional Patent Application (37 C.F.R. §1.53(b))

- ☒ Associate Power of Attorney (1 page)
- ☒ Preliminary Amendment (2 pages)

Respectfully submitted,



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